

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF CHICAGO PAINTERS AND DECORATORS PENSION FUND, et al,)	
)	
Plaintiffs,)	No. 08 C 2399
vs.)	Judge Dow
)	
BRYER CONSTRUCTION, INC., an Illinois corporation,)	Magistrate Judge Cole
)	
Defendant.)	

STATUS REPORT

The Plaintiffs submit the following report of the status of this case:

A. NATURE OF THE CASE

1. The basis for jurisdiction of this case is under the National Labor Relations Act, 29 U.S.C. Section 185(a) and also under ERISA, 29 U.S.C. Section 1132 (e)(1).

2. The nature of the claims presented herein are claims by ERISA employee benefit plans for delinquencies allegedly due by virtue of breach of a collective bargaining agreement and Trust agreements. Plaintiffs allege that the employer has failed to pay some of the contributions that are due and owing to the Funds for contributions performed by employees performing work covered by the bargaining agreements.

3. The relief sought by Plaintiffs (the "Funds") in the Complaint is to obtain a fringe benefit contribution compliance audit for the period from August 31, 2007 through the present, and a judgment in the amount found to be due on the audit for contributions, liquidated damages, interest, and reasonable attorneys' fees and costs; all as provided in the Labor Agreement. .

4. The defendant has not been served.

B. NATURE OF REFERRAL/PRETRIAL DATES

5. The court entered a scheduling order in May, 2008.

C. DISCOVERY

6. Plaintiffs will serve discovery and make disclosures after the defendant has been served because there are, as yet, no disputed facts in the pleadings. The current date for completion of discovery is August 28, 2008.

D. CONSENT TO PROCEED BEFORE A MAGISTRATE JUDGE

7. The parties have not agreed to consent before the magistrate judge for all purposes at this time.

E. SETTLEMENT STATUS

8. The Plaintiffs will be able to discuss settlement once it is determined what amounts are alleged to be owed to the Funds.

Respectfully submitted,

TRUSTEES OF THE CHICAGO PAINTERS et al,

s/James R. Anderson
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